

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **06 JANUARY 2005 (06.01.2005)**

Applicant's or agent's file reference
SH-21754-PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/KR2004/002479	International filing date (day/month/year) 24 SEPTEMBER 2004 (24.09.2004)	Priority date(day/month/year) 30 SEPTEMBER 2003 (30.09.2003)
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International Patent Classification (IPC) or both national classification and IPC
IPC7 G11B 20/12

Applicant

SAMSUNG ELECTRONICS CO., LTD. et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



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920 Dunsan-dong, Seo-gu, Daejeon 302-701,
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**WRITTEN OPINION OF THE
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International application No.

PCT/KR2004/002479

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-28	YES
	Claims		NO
Inventive step (IS)	Claims	2-7, 9-14, 16-21, 23-28	YES
	Claims	1, 8, 15, 22	NO
Industrial applicability (IA)	Claims	1-28	YES
	Claims		NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 2002-0159382 A1 (MITSUBISHI DENKI KABUSHIKI KAISHA) 31 October 2002

1. Novelty and Inventive Step

The subject matter of claims 1-28 of the present invention is on a write-once disc and a method for using a write-once disc in which the size of the temporary disc management area is greater than or equal to $1/N$ (N is a real number) of the size of one spare area.

D1 discloses a rewritable optical disc of which recording area is divided into a plurality of groups by annular boundaries.

The subject matter of the present invention (claims 1, 8, 15 and 22) and that of the prior art document D1 are considered to be in the same technical category in that both of them relate to a method for managing spare area or disc management area of the optical disc. The difference between the said claims and said document lies in the specific size and format of the disc management area, which does not involve any technical difficulties to a person skilled in the art. Accordingly, it would be obvious to a person skilled in the art to derive the invention of claims 1, 8, 15 and 22 from the prior art D1.

Therefore, the subject matter of claims 1, 8, 15 and 22 is considered to be novel but lacks an inventive step (PCT Article 33(2)-33(3)).

2. Industrial Applicability

Claims 1-28 of the present invention meet the criteria set out in PCT Article 33(4) because they are directed to a write-once disc and a method for using a write-once disc. Therefore, the subject matter of claims 1-28 is considered to be industrially applicable.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of :

Box V.

2. Industrial Applicability

Claims 1-28 of the present invention meet the criteria set out in PCT Article 33(4) because they are directed to a write-once disc and a method for using a write-once disc. Therefore, the subject matter of claims 1-28 is considered to be industrially applicable.